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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/698,150	10/31/2003	Easwaran Nambudiri	F-676	9842

919 7590 07/18/2007  
PITNEY BOWES INC.  
35 WATERVIEW DRIVE  
P.O. BOX 3000  
MSC 26-22  
SHELTON, CT 06484-8000

EXAMINER
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JABR, FADEY S

ART UNIT	PAPER NUMBER
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3628

MAIL DATE	DELIVERY MODE
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07/18/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/698,150	NAMBUDIRI, EASWARAN	
	<b>Examiner</b>	<b>Art Unit</b>	
	Fadey S. Jabr	3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 08 June 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 13-16 is/are pending in the application.
- 4a) Of the above claim(s) 1-12 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 13-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>See Continuation Sheet</u> . | 6) <input type="checkbox"/> Other: _____  |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :12/12/03, 8/8/06, 8/26/06, 10/13/03.

## **DETAILED ACTION**

### ***Status of Claims***

Claims **1-12** have been withdrawn from consideration by way of Restriction. Claims **13-16** have been elected and are therefore presented for examination.

### ***Election/Restrictions***

1. Applicant's election without traverse of Group IV, claims 13-16, in the reply filed on 8 June 2007 is acknowledged.

### ***Claim Rejections - 35 USC § 101***

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims **13** and **15** are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. As currently recited the claims appear to be nothing more than a series of processes, transporting, printing...receiving. The final claim limitation of comparing merely analyzes two types of data but fails to provide any useful result. Therefore, the claims are non-statutory for failing to recite a tangible result. However, Examiner notes that if the applicant includes the dependent claims 14 and 16 into their respective independent claims, the 35 U.S.C. 101 rejection will be withdrawn.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims **13 and 16** are rejected under 35 U.S.C. 103(a) as being unpatentable over Sansone, U.S. Patent No. 6,361,164 B1 in view of Montgomery et al., US2003/0101143 A1, hereinafter referred to as Sansone and Montgomery.

As per **Claims 13 and 15**, Sansone discloses a method and system that compares indicia printed on the mail piece with indicia stored in memory, comprising:

- transporting mail pieces along a transport path (C. 4, lines 52-54, also see Figure 4);
- printing a postage indicia on at least some of the mail pieces transported along the transport path, the postage indicia including a barcode and human-readable numerals that represent a postage amount (C. 4, lines 52-54, C. 8, line 66 – C. 9, line 6, also see Figure 9);
- receiving data from a postage security device (C. 6, lines 26-31).

Sansone fails to *explicitly* disclose reading the barcode and the human-readable numerals by using a reader mounted on the mailing machine. However, Sansone discloses a comparator that reads the printed material on a mail piece by reading the printer firings (that represent the alphanumeric characters or other data produced) and comparing it with the value stored in non-volatile memory (C. 2, lines 31-44). Therefore, it would have been obvious to one of ordinary

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skill in the art at the time of applicant's invention to modify the method and system of Sansone and include reading postage indicia from a mailpiece, because it allows the system to validate the authenticity of the mail piece.

Furthermore, Montgomery teaches a scanning station that reads the self-validating postage indicium (two-dimensional barcode) on the mailpiece (0134). Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method and system of Sansone and include reading the barcode of the mail piece as taught by Montgomery, because it allows the system to determine whether the mail piece is fraudulent or authentic.

Sansone fails to disclose comparing a postage amount represented by data read from the barcode with the postage amount represented by the human-readable numerals. However, Sansone discloses comparing postage indicia to indicia stored in the register of the postage meter (C. 2, lines 31-44, C. 6, lines 26-31). Moreover, Montgomery teaches validating mail piece postage by comparing barcode data to human-readable information (0134). Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method and system of Sansone and include comparing a variety of postage indicia to determine whether they match or not as taught by Montgomery, because it allows the system to determine whether the mail piece is fraudulent or authentic.

5. Claims **14** and **16** are rejected under 35 U.S.C. 103(a) as being unpatentable over Sansone in view of Montgomery as applied to claims **13** and **15** above, and further in view of Briley et al., U.S. Patent No. 6,860,425 B2, hereinafter referred to as Briley.

As per **Claims 14 and 16**, Sansone fails to disclose selectively halting the transporting of mail pieces in response to a result of the comparing step. However, Sansone disclose the system taking account of the comparison when a mismatch occurs and resetting the system (C. 5, lines 58-62, C. 6, lines 26-37). Further, Briley teaches halting operation of the system when the sensor determines that no postage indicia was printed on the media by the print head, where the control device controls operation of postage meter device in accordance with the results of the sensor determination (C. 1, line 54 – C. 2, line5, C. 2, lines 48-50). Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method and system of Sansone and include stopping the operation of the system when a mismatch occurs as taught by Briley, because it allows the system user to correct the mismatch and determine if the mail piece is of a fraudulent nature.

### ***Conclusion***

Examiner's Note: Examiner has cited particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that the applicant, in preparing the responses, fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fadey S. Jabr whose telephone number is (571) 272-1516. The examiner can normally be reached on Mon. - Fri. 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on (571) 272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Fadey S Jabr  
Examiner  
Art Unit 3628

FSJ



Art Unit: 3628

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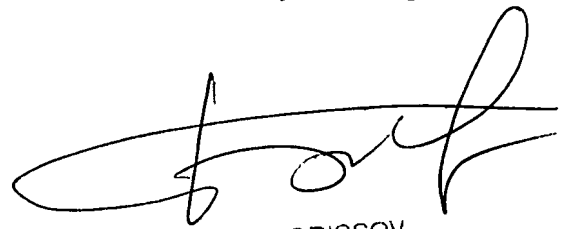
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**(571) 273-1516** [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to the Customer Service Window, Randolph Building, 401 Dulany Street, Alexandria, VA 22314



IGOR N. BORISSOV  
PRIMARY EXAMINER